

Docket No.: F1866.0068

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toshiyuki Nomura

Application No.: 10/632,974

Confirmation No.: 2993

Filed: August 4, 2003

Art Unit: 2655

For: SPEECH CODER/DECODER

Examiner: H. X. Vo

## SUBMISSION OF TERMINAL DISCLAIMER

U.S. Patent and Trademark Office 220 20th Street S. Customer Window Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

Dear Sir:

Submitted herewith for recording is the Terminal Disclaimer for the above-identified application. Also enclosed is our Credit Card Authorization (Form PTO-2038) in the amount of \$130.00 for the recording fee. In the event this amount is insufficient, you are authorized to charge to our Deposit Account No. 50-2215 any additional

amounts owing.

Dated: October 18, 2005

Respectfully submitted

lan R Blum

Βv

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 835-1400

**Attorney for Applicant** 

IRB/mgs



Docket No.: F1866.0068

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(B))

### Interest of Person Making this Disclaimer

I, Edward A. Meilman, of Dickstein Shapiro Morin & Oshinsky, with offices at 1177 Avenue of the Americas, New York, New York 10036, represent that I am an attorney of record for the assignee identified below owning all of the interest in U.S. Patent App. Serial No. 10/632,974, filed August 4, 2003.

### **Identity of Disclaimant**

The assignee is:

Name of assignee:

**NEC Corporation** 

Address of assignee: 7-1, Shiba 5-chome

Minato-ku, Tokyo, Japan

Name and title of person authorized to sign on behalf of assignee:

Edward A. Meilman, Esq. Attorney of record

10/19/2005 JADDO1 00000143 10632974

01 FC:1814

130.00 OP

<u>Disclaimer</u>

Edward A. Meilman, on behalf of the assignee, hereby disclaims the terminal part of any patent granted later in time on the above-identified patent application serial number 10/632,974 which would expire beyond the expiration date of the full statutory term of any patent granted on U.S. Serial No. 09/795,386; and

Application No.: 10/368,036 Docket No.: X2850.0053

agrees, on behalf of the assignee, that any patent so granted on the above-identified patent application serial number 10/632,974 shall be enforceable only for an during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Serial No. 09/795,386, this agreement to run with any patent granted on the above-identified patent applications and to be binding upon the grantee, its successors or assigns; and

does not disclaim any terminal part of any patent granted on said aboveidentified patent application serial number 10/632,974 that would extend to the full
statutory term of any patent granted on U.S. Serial No. 09/975,386 in the event that said
patents later expire for failure to pay maintenance fee, is held unenforceable, is found
invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R.
1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise
terminated prior to the expiration of its statutory term, except for the separation of legal
title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements by jeopardize the validity of this application or any patent issuing thereon.

Date: October 18, 2005

Edward L. Meeling Signature

IRB/mgs